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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/075,830

02/12/2002

Robert M. Batz

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BAKER BOTTS L.L.P.

2001 ROSS AVENUE

SUITE 600

DALLAS, TX 75201-2980

EXAMINER

WONG, BLANCHE

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,830

Applicant(s)

BATZ ET AL.

Examiner

Blanche Wong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11-14, 16-19, 21-24, 26-29, 31-34, 36-39, 41-44 and 46-49 is/are rejected.
- 7) ☒ Claim(s) 5, 10, 15, 20, 25, 30, 35, 40, 45, 50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Nov'04, Feb'05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-4,6-9,11-14,16-19,21-24,26-29,31-34,36-39,41-44,46-49** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dynarski et al. (U.S. Pat No. 6,466,571) in view of Short et al. (U.S. Pat No. 6,636,894).

With regard to claims 1,11,31,41, Dynarski discloses

a gateway (home agent, col. 2, ln. 37, see also home agent/gateway server 22 in Fig. 1A) operable to position an identifier (IP address, col. 2, ln. 43) into a request packet (access-request packet, col. 2, ln. 42); and

a content switch (authentication server, col. 2, ln. 44; see also radius server 28 in Fig. 1A) coupled to the gateway and operable to identify the identifier (identification number, col. 2, ln. 45) and to correlate (mapping, col. 2, ln. 44) the identifier (identification number) to a source (IP address, col. 2, ln. 45) that generated the request packet (access-request packet, col. 2, ln. 42), the content switch (authentication server, col. 2, ln. 44) being further operable to receive the request packet (access-request packet, col. 2, ln. 42) and to position an IP address associated with the source in the request packet (IP destination address matches that of the mobile device, col. 2, ln. 27-28; see also access-accept packet includes the identification number for the device, col.

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2, ln. 53-54) before communicating the request packet to a next destination (home agent, col. 2, ln. 55-56).

However, Dynarski fails to explicitly show a WAP gateway.

In an analogous art, Short discloses a wireless access point (WAP) for signals transmitted via a wireless network, col. 6, ln. 56-57.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a WAP gateway. The suggestion/motivation for doing so would have been to provide for signals transmitted via a wireless network. Short, col. 6, ln. 57. Therefore, it would have been obvious to combine Short with Dynarski for the benefit of signaling in a wireless network, to obtain the invention as specified in claims 1,11,21,31,41.

With regard to claims 2,12,22,32,42, the combination of Dynarski and Short discloses the apparatus of claim 1. Dynarski also discloses wherein the content switch (authentication server, col. 2, ln. 43) comprises a table (table, col. 2, ln. 44) that includes one or more identifiers (identification number, col. 2, ln. 45) that correlate (mapping, col. 2, ln. 44) to one or more sources (IP address, col. 2, ln. 45) respectively, and wherein each of the sources (IP address) is operable to generate one or more request packets (access-request packet, col. 2, ln. 42). However, Dynarski fails to explicitly show a WAP network environment.

In an analogous art, Short discloses a wireless access point (WAP) for signals transmitted via a wireless network, col. 6, 56-57.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a WAP network environment. The suggestion/motivation for doing so would have been to provide for signals transmitted via a wireless network. Short, col. 6, ln. 57. Therefore, it would have been obvious to combine Short with Dynarski for the benefit of signaling in a wireless network, to obtain the invention as specified in claims 2,12,22,32,42.

With regard to claims 3,13,23,33,43, the combination of Dynarski and Short discloses the apparatus of claim 1. Dynarski also discloses a client service packet gateway (home agent, col. 2, ln. 53) operable to receive the request packet after the IP address associated with the source has been positioned by the content switch (authentication server, col. 2, ln. 52) and to match (mapping, col. 2, ln. 44) one or more IP addresses (IP address, col. 2, ln. 45) with one or more source profiles (identification number, col. 2, ln. 45) in order to provide one or more networking services to one or more selected sources (initiate communication between the device and the remote user, col. 2, ln. 57-58).

With regard to claims 4,14,24,34,44, the combination of Dynarski and Short discloses the apparatus of claim 3. Dynarski further discloses the matching (mapping, col. 2, ln. 44) is performed by the CSPG (home agent, col. 2, ln. 53) by accessing and

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querying a database (it would have been obvious that a database is used to store the table, col. 2, ln. 44).

With regard to claims 6,16,26,36,46, the combination of Dynarski and Short discloses the apparatus of claim 3. However, Dynarski fails to explicitly show an AAA server coupled to the CSPG and operable to authenticate the source associated with the request packet.

In an analogous art, Short discloses an AAA server coupled to a gateway (AAA server can be located within the gateway device, col. 4, ln. 56-57) and operable to authenticate a source (AAA = authentication, authorization and accounting, col. 4, ln. 43).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an AAA server coupled to a gateway and operable to authenticate a source. The suggestion/motivation for doing so would have been to provide user transparent access to a computer network employing a gateway device, col. 3, ln. 28. Therefore, it would have been obvious to combine Short with Dynarski for the benefit user transparent access to a computer network employing a gateway device, to obtain the invention as specified in claims 6,16,26,36,46.

With regard to claims 7,17,27,37,47, the combination of Dynarski and Short discloses the apparatus of claim 6. However, Dynarski fails to explicitly show an AAA server operates to authorize the source associated with the request packet.

In an analogous art, Short discloses an AAA server operates to authorize a source (AAA = authentication, authorization and accounting, col. 4, ln. 43).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an AAA server that operates to authorize a source. The suggestion/motivation for doing so would have been to provide user transparent access to a computer network employing a gateway device, col. 3, ln. 28. Therefore, it would have been obvious to combine Short with Dynarski for the benefit user transparent access to a computer network employing a gateway device, to obtain the invention as specified in claims 7,17,27,37,47.

With regard to claims 8,18,28,38,48, the combination of Dynarski and Short discloses the apparatus of claim 6. However, Dynarski fails to explicitly show an AAA server operates to provide accounting services for the source associated with the request packet.

In an analogous art, Short discloses an AAA server operates to provide accounting services for a source (AAA = authentication, authorization and accounting, col. 4, ln. 43).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an AAA server operates to provide accounting services for a source. The suggestion/motivation for doing so would have been to provide user transparent access to a computer network employing a gateway device, col. 3, ln. 28. Therefore, it would have been obvious to combine Short with Dynarski for the benefit

user transparent access to a computer network employing a gateway device, to obtain the invention as specified in claims 8,18,28,38,48.

With regard to claims 9,19,29,39,49, the combination of Dynarski and Short discloses the apparatus of claim 1. Dynarski further discloses a radio access network (RAN) packet gateway (radio tower 48 and wireless base station 44 and CBSC in Fig. 1A) operable to provide a communications link between a mobile station (wireless devices, col. 6, ln. 15) associated with the source (user 1 and 2, 10 and 24 in Fig. 1A) and a gateway (home agent 22 in Fig. 1A). However, Dynarski fails to explicitly show a WAP gateway.

In an analogous art, Short discloses a wireless access point (WAP) for signals transmitted via a wireless network, col. 6, ln. 56-57.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a WAP gateway. The suggestion/motivation for doing so would have been to provide for signals transmitted via a wireless network. Short, col. 6, ln. 57. Therefore, it would have been obvious to combine Short with Dynarski for the benefit of signaling in a wireless network, to obtain the invention as specified in claims 9,19,29,39,49.

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Allowable Subject Matter

3. Claims 5,10,15,20,25,30,35,40,45,50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

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February 15, 2006


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